

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RONALD SATISH EMRIT,)	NO. CV 23-8162-PA(E)
)	
Plaintiff,)	
)	ORDER TO SHOW CAUSE
v.)	
)	
THE GRAMMY AWARDS,)	
)	
Defendant.)	
_____)	

On August 8, 2023, Plaintiff filed a Complaint in the Eastern District of Louisiana, naming as the sole Defendant "The Grammy Awards d/b/a The Recording Academy/NARAS" (Complaint, p. 1). On September 26, 2023, the Eastern District of Louisiana transferred the action to this Court. Although the Eastern District of Louisiana previously granted Plaintiff in forma pauperis status, a review of the Complaint suggests that such status should be revoked and the action should be dismissed.

The Court may dismiss an action at any time if the action "is frivolous or malicious" or "fails to state a claim on which relief may

1 be granted." 28 U.S.C. § 1915(e)(2)(B). As relevant here, a
2 complaint fails to state a claim on which relief may be granted if the
3 statute invoked in the complaint does not afford a private right of
4 action for the conduct alleged therein. See Parra v. PacifiCare of
5 Arizona, Inc., 715 F.3d 1146, 1151 (9th Cir. 2013).

6
7 In the Complaint, Plaintiff alleges that Defendant is a racist
8 organization that affiliates with several "sick" people and that
9 Defendant wrongfully terminated Plaintiff's membership (Complaint, pp.
10 2, 4-6). As the purported basis for federal question jurisdiction,
11 Plaintiff invokes only the Civil Rights Act of 1964 (id., pp. 4, 6,
12 7).

13
14 The Civil Rights Act of 1964, which is comprised of eleven
15 titles, bans certain discrimination on the basis of race, color,
16 religion, sex and national origin. See 42 U.S.C. § 2000a et seq. The
17 Act is directed to a variety of contexts, including voting rights
18 (Title I), public accommodations (Title II), public facilities (Title
19 III), public education (Title IV), federally assisted programs (Title
20 VI), employment (Title VII), and voting registration (Title VIII).
21 See id.; see also, e.g., Alexander v. Sandoval, 532 U.S. 275, 278
22 (2001); Griggs v. Duke Power Co., 401 U.S. 424, 429-430 (1971); Heart
23 of Atlanta Motel, Inc. v. United States, 379 U.S. 241, 351-52 (1964).

24
25 Plaintiff alleges that he suffered racial discrimination by
26 Defendant in purported violation of the Act. Plaintiff does not
27 identify any specific provision of the Act that Defendant allegedly
28 violated. It does not appear that the purported former relationship

1 between Plaintiff and Defendant could give rise to liability under the
2 Act.

3
4 Accordingly, it appears that the Complaint does not state a claim
5 under the Act (or under any other federal law). It further appears
6 that the Complaint should be dismissed without leave to amend because
7 amendment would be futile. See Parents for Privacy v. Barr, 949 F.3d
8 1210, 1239 (9th Cir. 2020) (complaint dismissed without leave to amend
9 because the problem was not the sufficiency of plaintiff's factual
10 allegations but the failure of plaintiff's legal theories). Notably,
11 the Court recently denied Plaintiff in forma pauperis status and
12 dismissed with prejudice a very similar action filed by Plaintiff.
13 See Emrit v. The Grammy Awards on CBS, CV 23-8593-PA(E).

14
15 IT IS THEREFORE ORDERED that, within twenty-one (21) days of the
16 date of this order, Plaintiff shall show cause, if there be any, why
17 in forma pauperis status should not be revoked and this action should
18 not be dismissed with prejudice for failure to state a claim.

19
20 Failure timely to comply with this order, or failure to
21 demonstrate cause, may result in the dismissal of this action with
22 prejudice.

23
24 DATED: October 25, 2023.

25
26 /s/
27 CHARLES F. EICK
28 UNITED STATES MAGISTRATE JUDGE